

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EDWARD V. RAY III,)	
)	
Plaintiff,)	
vs.)	NO. CIV-13-0697-HE
)	
S. BRADFORD, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER


Plaintiff Edward V. Ray III, a California state prisoner appearing *pro se* and *in forma pauperis*, filed this action pursuant to 42 U.S.C. § 1983. Consistent with 28 U.S.C. § 636(b)(1)(B), this matter was referred for initial proceedings to Magistrate Judge Gary M. Purcell. Judge Purcell has recommended that the claims against defendants Bradford, Ferguson, Moates, and Hansen be dismissed without prejudice for failure to exhaust administrative remedies, and that the claims against “Doe I” be dismissed for failure to state a claim upon which relief can be granted. Objections to the magistrate judge’s report and recommendation were due by March 3, 2014.

Plaintiff, having failed to object to the report and recommendation, has waived his right to review of the factual and legal issues it addressed. United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)). Accordingly, the Report and Recommendation [Doc. #23] is **ADOPTED**. Defendants

Bradford, Ferguson, Moates, and Hansen's motion to dismiss [Doc. #21] is **GRANTED**, and the claims against them are **DISMISSED** without prejudice. The claims against defendant "Doe I" are also **DISMISSED**.

IT IS SO ORDERED.

Dated this 6th day of March, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE